

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION  
OF: GEWEHR ET AL.  
SERIAL No. 10/616,950  
FILED: JULY 11, 2003  
FOR: FUNGICIDAL USE

DOCKET No.: AM200040  
CONFIRMATION No.: 2161  
GROUP ART UNIT: 1612  
EXAMINER: SABIHA N. QAZI

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY UNDER 37 C.F.R. §1.111

Sir:

In reply to the Office action of January 21, 2009, it is respectfully requested that the following remarks the enclosed Terminal Disclaimer be entered and considered for further prosecution of the above-identified application.

It is respectfully requested that one month extension of time be granted in this case. The respective \$130.00 fee is paid herewith by credit card along with the processing fee in the amount of \$130.00 for the Terminal Disclaimer.

Also, please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 14.1437. Please credit any excess fees to such deposit account.

Respectfully submitted,  
NOVAK DRUCE DELUCA + QUIGG

/James Remenick/ James Remenick  
Reg. No. 36,902

Customer No.: 26474  
1300 Eye Street, N.W.  
Suite 1000 West Tower  
Washington, D.C. 20005  
(202) 659-0100

Encl.: Terminal Disclaimer re US 6,521,628 and US 6,734,202  
Power of Attorney ... and Statement under 37 C.F.R. §3.73(b)  
JR/BAS